

REMARKS

These Remarks are in reply to the Office Action mailed November 10, 2004. Claim 16 has been amended, and no claims have been deleted or newly added, such that claims 1-20 remain pending. All claims are provided above for the Examiner's convenience.

Rejection under 35 U.S.C. § 112

Claim 18 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite because "the plurality of holes" lacked antecedent basis. Claim 18 has been amended to depend from claim 17, which provides antecedent basis. Withdrawal of this rejection is respectfully requested.

Rejection under 35 U.S.C. § 102

Claims 1, 10 and 16 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication 2002/0167763 to Macpherson et al. (hereinafter "Macpherson").

Claim 1 recites a "a fantail section having a first leg and a second leg, the first leg having a first thermal restraint feature, and the second leg having a second thermal restraint feature, wherein the first and second thermal restraint features are configured to engage an over-mold when the over-mold is over-molded over the fantail section." The Office action states on page 2 that Macpherson discloses a fantail section in which first and second legs 126,128 each including thermal restraint features comprising filler material. However, legs 126,128 in fact form part of an overmold which itself includes filler materials. As such, the filler material cannot reasonably be said to be "configured to engage an overmold." Because Macpherson does not disclose each and every claim limitation, a case of anticipation has not been made out here. Withdrawal of the rejection of claim 1 and allowance thereof are respectfully requested.

Similarly, claim 10 recites first and second legs having restraint features as well as "an over-mold on the fantail section that surrounds the first and second legs and holds the voice coil." Because Macpherson's first and second legs 126,128 form the overmold, Macpherson cannot be reasonably construed as disclosing an overmold that "surrounds" the legs. Withdrawal of the rejection of claim 10 and allowance thereof are respectfully requested.

Claim 16 recites "means for reducing thermal stress that is configured to engage an over-mold." While the Office has construed first and second fillers disclosed by Macpherson to be means for reducing thermal stress, these fillers themselves form part of the overmold and cannot reasonably be said to "engage an overmold" as required by claim 16. Withdrawal of the rejection of claim 16 and allowance thereof are respectfully requested.

Allowable Subject Matter

The Examiner is thanked for the indication that claims 2-9, 11-15 and 17-20 include allowable subject matter. Because it is believed that claims 1, 10 and 16 are allowable, however, the claims have not been rewritten as proposed by the Examiner.

Conclusion

For these reasons, Applicant respectfully asserts that present claims particularly point out and distinctly claim the subject matter which is regarded as the invention. In addition, the present invention as claimed is not taught by the prior art of record or any combination thereof. Therefore, it is respectfully submitted that the pending claims are in condition for allowance, and favorable action with respect to the present application is respectfully requested.

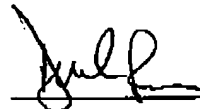
If the Examiner is not satisfied, but minor changes would apparently put the present case in condition for allowance, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

Seagate Technology LLC
(Assignee of the Entire Interest)

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Date



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